

Mar 16, 2020

SEAN F. MCVOY, CLERK

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

JAMES DEAN CLOUD (01), and  
DONOVAN QUINN CARTER  
CLOUD, (02)

Defendants.

No. 1:19-cr-02032-SMJ-01  
1:19-cr-02032-SMJ-02

**ORDER RESETTING HEARINGS**

In light of the evolving public health crisis caused by the outbreak of the Coronavirus Disease 2019 (COVID-19) and the recently declared national emergency, the Court finds the interests of justice require the pretrial conference and hearings on the Motion to Suppress James Dean Cloud's Statements, ECF No. 146; Motion to Suppress JV's Tainted ID, ECF No. 147; and Motion to Continue Pretrial Conference and Trial Dates and Deadlines, ECF No. 144, each currently set for March 17, 2020, be **RESET** until April 21, 2020. Specifically, the Court finds failing to reschedule the hearing poses an undue risk of transmission of the virus, including to Defendant, counsel, Court staff, law enforcement personnel, and the public at large. Moreover, the impact of public health advisories has reduced the availability of Court staff to conduct the hearing as scheduled.

1 Accordingly, **IT IS HEREBY ORDERED:**

- 2     1. The **Pretrial Conference** currently set for March 17, 2020, is  
3                 **STRICKEN and RESET to April 21, 2020 at 10:45 A.M. in Yakima.**  
4     2. The hearings on Defendant Cloud's (01) Motion to Suppress  
5                 Defendant James Dean Cloud's Statements, **ECF No. 146**; Defendant  
6                 Cloud's (02) Motion to Suppress JV's Tainted ID, **ECF No. 147**; and  
7                 Defendant Cloud's (01) Motion to Continue Pretrial Conference, Trial  
8                 Dates and Deadlines, **ECF No. 144**, currently set for March 17, 2020  
9                 are **STRICKEN and RESET to April 21, 2020 at 10:45 A.M. in**  
10                 **Yakima.**  
11     3. All previously set case management deadlines remain in effect.  
12     4. The Court finds, given the outbreak of the COVID-19 virus, that  
13                 failing to reschedule the hearing would result in undue risk to  
14                 Defendant, counsel, law enforcement, Court staff, and the public at  
15                 large. The Court also finds the impact of public health advisories on  
16                 the availability of Court staff requires the hearing be rescheduled. The  
17                 Court, therefore, finds the ends of justice served by resetting the  
18                 hearing in this matter outweigh the best interest of the public and  
19                 Defendant in a speedy trial. *See* 18 U.S.C. § 3161(h)(7)(A).

5. Pursuant to 18 U.S.C. § 3161(h)(7)(A), the Court **DECLARES EXCLUDABLE from Speedy Trial Act calculations** the period from **March 17, 2020**, the date of the original hearing, through **April 21, 2020**, the date of the rescheduled hearing, as the period of delay required by the interests of justice.

**IT IS SO ORDERED.** The Clerk's Office is directed to enter this Order and provide copies to all counsel, the U.S. Probation Office, and the U.S. Marshals Service.

**DATED** this 16th day of March 2020.

Salvador Menéndez Jr.  
**SALVADOR MENÉNDEZ, JR.**  
United States District Judge